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Date: 7/6/2006 8:09:53 AM
Subject: Mine Plan Determinations - Deer Creek, Savage Coal Terminal, SUFCO, and Soldier Canyon

Attached are OSM's final decisions regarding the need for a Mining Plan Modifications for the above subject. A signed copies will be sent to you in today's mail.

In accordance with the Federal regulations under 30 CFR 740.13(d), other Federal agencies that may have an interest in, or jurisdiction over, the above subject operations have also been notified of OSM's decision electronically.

INCOMING

CC: C0070018 - No. 2542
C0150018 - No. 2553
C0070022 - No. 2549
C0410002 - No. 2552

No responses to this transmittal are necessary.

Carl R. Johnston

Natural Resource Specialist

OSMRE / WR / PSD / NWB

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UT-0023

July 6, 2006

Utah Division of Oil, Gas, & Mining
Coal Regulatory Program
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

RE: Canyon Fuel Company, LLC. - "Soldier Canyon" Mine - Application for a Permit
Revision, Revision to Appendix 2F, Task ID No. 2542

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) June 6, 2006, 2005, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Revision to Appendix 2F, has determined that it proposes to add a revised Plate 2-3 depicting topsoil pile locations and volumes to the approved permit application package for the Soldier Canyon mine, Utah State permit C/007/018.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.18(d). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Revision to Appendix 2F, with other Federal agencies for compliance with other Federal regulations.

OSM also electronically transmitted the June 6, 2006, request to the Bureau of Land Management and the U.S. Forest Service for their review and comment.

In an electronic submittal dated June 14, 2006, the U.S. Forest service stated it had no comments or concerns with the permit revision.

The Bureau of Land Management did not provide any comments in the thirty day time frame established by the Federal regulations under 30 CFR 944.30, Article VI. D.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,

Ranvir Singh
Manager, Northwest Branch

cc: BLM - Utah State Office
BLM - Price Field Office
USFS - Manti-La Sal NF
Denver Field Division

UT-0016

July 6, 2006

Utah Division of Oil, Gas, & Mining
Coal Regulatory Program
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

RE: PacifiCorp - "Deer Creek" Mine - Application for a Permit Revision, Update of
Mitigation Commitments, Task ID No. 2553

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) June 28, 2006, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Update of Mitigation Commitments, has determined that it proposes to add update wildlife mitigation commitments associated with the Rilda Canyon Portal Facilities to the approved permit application package for the Deer Creek mine Utah State permit C/015/018.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.18(d). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Update of Mitigation Commitments, with other Federal agencies for compliance with other Federal regulations.

OSM also electronically transmitted the June 28, 2006, request to the Bureau of Land Management and the U.S. Forest Service for their review and comment.

In an electronic submittal dated June 29, 2006, the U.S. Forest service stated in its opinion the permit revision did not constitute a mining plan action requiring Secretarial approval.

In an electronic transmittal dated July 5, 2006, the Bureau of Land Management stated in its opinion the permit revision did not constitute a mining plan action requiring Secretarial approval.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,

Ranvir Singh
Manager, Northwest Branch

cc: BLM - Utah State Office
BLM - Price Field Office
USFS - Manti-La Sal NF
Denver Field Division

UT-0065

July 6, 2006

Utah Division of Oil, Gas, & Mining
Coal Regulatory Program
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

RE: Savage Services Corporation "Savage Coal Terminal" - Application for a Permit Revision, Restart of Preparation Plant, Task ID No. 2549

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) June 28, 2006, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Restart of Preparation Plant, has determined that it proposes to revise the text of the approved permit application package to discuss the operation of the preparation plant, to address previously submitted permit revisions required for the restart, and to address the construction of three additional thirty-six inch conveyors at the Savage Coal Terminal, Utah State permit C/007/022.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.18(d). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Restart of Preparation Plant, with other Federal agencies for compliance with other Federal regulations.

OSM also electronically transmitted the June 28, 2006, request to the Bureau of Land

Management and the U.S. Forest Service for their review and comment.

In an electronic submittal dated June 29, 2006, the U.S. Forest service stated it had no comments or concerns with the permit revision.

In an electronic transmittal dated July 5, 2006, the Bureau of Land Management stated in its opinion the permit revision did not constitute a mining plan action requiring Secretarial approval.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,

Ranvir Singh
Manager, Northwest Branch

cc: BLM - Utah State Office
BLM - Price Field Office
USFS - Manti-La Sal NF
Denver Field Division

UT-0026

July 6, 2006

Utah Division of Oil, Gas, & Mining
Coal Regulatory Program
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

RE: Canyon Fuel Company, LLC. - "SUFCO" Mine - Application for a Permit Revision,
Permit Update Amendment, Task ID No. 2552

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) June 28, 2006, 2005, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Permit Update Amendment, has determined that it proposes to add copies of the new Air Quality and UPDES permits to the approved permit application package for the SUFCO mine, Utah State permit C/041/002.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.18(d). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Permit Update Amendment, with other Federal agencies for compliance with other Federal regulations.

OSM also electronically transmitted the June 28, 2006, request to the Bureau of Land Management and the U.S. Forest Service for their review and comment.

In an electronic submittal dated June 29, 2006, the U.S. Forest service stated it had no comments or concerns with the permit revision.

In an electronic transmittal dated July 5, 2006, the Bureau of Land Management stated in its opinion the permit revision did not constitute a mining plan action requiring Secretarial approval.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,

Ranvir Singh
Manager, Northwest Branch

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